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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

GREGORY N. LEONARD,

Case No. 3:18-cv-00404-MMD-CBC

Plaintiff,

ORDER

v.

NORTHERN NEVADA CORRECTIONAL  
CENTER, *et al.*,

Defendants.

**I. DISCUSSION**

Before the Court is Plaintiff's motion to supplement the complaint. (ECF No. 4). Plaintiff seeks to add additional medical kites as exhibits to the complaint and he seeks to add as an exhibit to the complaint an affidavit that he states will show that Plaintiff continues to submit medical kites about his tooth and gum pain but his dental problems have become worse due to the lack of dental care. (*Id.* at 1-2).

It appears that Plaintiff is attempting to provide evidence of existing or new claims. The complaint and the screening stage of litigation are not the place and time for a plaintiff to provide evidence to prove his claims. The time for proof will not come until after the Court has screened the complaint and the complaint is served. Therefore, to the extent Plaintiff is seeking to "supplement" his complaint in order to provide evidence in support of his claims, the motion is denied.

1           However, if Plaintiff wishes to add claims to his complaint by including new  
2 *allegations*, the Court gives Plaintiff leave to do so. To alter or add claims to the complaint  
3 Plaintiff must *allege facts* in an amended complaint; merely adding exhibits will not add  
4 claims. Furthermore, any amended complaint must be complete in itself and therefore  
5 must include all allegations, claims, and defendants Plaintiff wishes to include in this  
6 action.

7           Plaintiff also is advised that, if he seeks to amend the complaint, to the extent  
8 possible, he should identify the persons who he alleges violated his civil rights. The Court  
9 notes that, although the first page of Plaintiff's complaint is missing, it is apparent from  
10 the remaining pages of the complaint that Plaintiff has sued only Doe Defendants. (ECF  
11 No. 1-1 at 2-3.) A complaint cannot be served on Doe Defendants even if Plaintiff states  
12 colorable claims against those Doe Defendants. Although the Court may eventually give  
13 Plaintiff the opportunity through discovery to learn the names of Doe Defendants against  
14 whom Plaintiff states colorable claims, that process will delay the service of the complaint  
15 and will delay any other discovery or proceedings in this action. Therefore, to the extent  
16 possible, it is to Plaintiff's benefit to identify the names of the Defendants in any amended  
17 complaint.

## 18       **II. CONCLUSION**

19           For the foregoing reasons, IT IS ORDERED that the motion for leave to  
20 supplement the complaint by adding exhibits (ECF No. 4) is denied.

21           IT IS FURTHER ORDERED that Plaintiff may amend the complaint to add new  
22 allegations.

23           IT IS FURTHER ORDERED that, if Plaintiff chooses to file an amended complaint,  
24 Plaintiff shall file the amended complaint within 30 days from the date of entry of this  
25 order.  
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1 IT IS FURTHER ORDERED that, if Plaintiff does not file an amended within 30  
2 days from the date of entry of this order, the Court will screen the original complaint (ECF  
3 No. 1-1).

4 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the  
5 approved form for filing a § 1983 complaint, instructions for the same, and a copy of his  
6 original complaint (ECF No. 1-1). If Plaintiff chooses to file an amended complaint, he  
7 should use the approved form and he must write the words "First Amended" above the  
8 words "Civil Rights Complaint" in the caption.

9 DATED: 6/12/2019

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11 UNITED STATES MAGISTRATE JUDGE  
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